

Revised to add Addendum Items 10A and 11A

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
March 4, 2003, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the February 11 and 25th meetings
-

AWARDS AND PRESENTATIONS

- Wichita's Promise – Youth Service Awards
- Recognition of Optimist Club's "Unsung Heroes"
- High School Exchange Students from Russia and The Ukraine Recognition
- Proclamations
- Westar Energy Vision for the Future.

James Haines, President and Chief Executive Officer, and Bill Moore, Executive Vice President and Chief Operating Officer.

PUBLIC AGENDA

1. King David Davis
-

UNFINISHED BUSINESS

2. Repair or Removal of Dangerous and Unsafe Structures – 1158 North Ash. (District I)
(This Item was continued from February 4, 2003)

RECOMMENDED ACTION: Take appropriate action.

3. Fireworks Policy.

RECOMMENDED ACTION: Appoint Fireworks Task Force to study the issues.

NEW BUSINESS

4. Public Hearing and Tax Exemption Request – Weaver Manufacturing, Inc. (District I)

Weaver Manufacturing requests a tax exemption for a workstation and software purchased as part of the 1999 expansion.

RECOMMENDED ACTION: Close the public hearing; approve first reading of the Ordinance.

5. 2003-2004 HUD Combined Allocations/One-Year Action Plan.

The 2003-2004 combined HUD funding for Wichita includes Community Development Block Grant, Home Investments Partnership, and Emergency Shelter Grant funds.

RECOMMENDED ACTION: Approve funding allocations, designated uses, requests for proposal services/programs, use of prior year HOME funds, and Grants Review Committee recommendations; authorize preparation of One-Year Action Plan and signatures.

6. Designation of Preferred Developer and Resolution Considering the Establishment of a Redevelopment District (Tax Increment Financing), Kellogg/Oliver Area. (District II)

Tax Increment Financing has been requested to assist with acquisition and clearance of a portion of the redevelopment site.

RECOMMENDED ACTION: Adopt the Resolution and set the public hearing for 10:30 a.m. on April 15, 2003.

7. Emergency Wrecker Services Ordinance Amendment.

The proposed Ordinance addresses wrecker companies' request for clarification regarding the types of vehicles required to be towed by wreckers on the Emergency Wrecker Rotation list.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

8. Relocation of the CityArts Facility.

Redevelopment of the East Bank area is necessitating the relocation of the CityArts facility.

RECOMMENDED ACTION: Approve the project and land acquisition; adopt Resolution; authorize Staff to negotiate with the developer the terms and conditions of the interim financing Agreement within perimeters, and authorize the necessary signatures.

9. Review of Angle Parking: Eaton Block.

Restricted angle parking has been effective in making parking available for customers.

RECOMMENDED ACTION: Retain one-hour restricted angle parking on the south side of Douglas an additional 12-months.

10. Transportation Services - Frontier Airlines.

The proposal for Council approval is an agreement between the City and Frontier that would continue to provide regional services in the Wichita/Denver market.

RECOMMENDED ACTION: Approve the Agreement(s); authorize

NEW BUSINESS AGENDA

(Addendum)

10A. Land Acquisition for Relocation of Fire Station #10. (District I)

RECOMMENDED ACTION: Approve the land acquisition, adopt the bond Resolution, and authorize a Request for Proposals for architectural design services. necessary signatures.

CITY COUNCIL AGENDA

11. Naming of Park Land at 2700 South Washington. (District III)

City Policy calls for a seven-member committee appointed by the Mayor and City Council to formulate a recommendation for City Council consideration.

RECOMMENDED ACTION: Continue the Policy and appoint a Naming Committee to name the property.

(Addendum)

11A. Emergency Planning. (Requested by Mayor Knight)

Presentation by Randy Duncan, Director Sedgwick County Emergency Management, and Jerry Frantz, Interim Director of Health Department.

12. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

12A. Report of the Board of Bids and Contracts Dated March 3, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

13. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Maria E. Romero Linda J. Brill	Angela's Café* Uncle Russell's BBQ*	901 East Central 1548 Ida
<u>New Establishment</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Wayne R. Larson	Sierra Hills Golf Club	13420 East Pawnee
<u>New Establishment</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
Steven D. Byers	C.B.'s Express, Inc. #1	1925 West 21 st Street North

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

14. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

15. Preliminary Estimates:

- a) Zoo Boulevard Bikepath from Central Avenue to Westdale - Zoo Boulevard north of Central. (87 TE-0159-01/472-83442/706832/202298) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$669,208.70

- b) 44th Street South, from the west line of Hoover Road, east to the east line of Lot 12, Block C; 44th Court South (Lots 8 through 31, Block A) from the north line of 44th Street South, north to and including the cul-de-sac; and (Lots 22 through 35, Block A) from the north line of 44th Street South, north to and including the cul-de-sac to serve Gray's 5th Addition - north of 47th Street South, east of Hoover. (472-83552/765758/490869) Does not affect existing traffic. (District VI) - \$272,000.00
- c) Water distribution system to serve Tara Falls Addition - south of Harry, west of 127th Street East. (448-89738/735105/470775) Does not affect existing traffic. (District II) - \$64,000.00
- d) Lateral 340 Four Mile Creek Sewer to serve Tara Falls Addition - south of Harry, west of 127th Street East. (468-83526/743968/480656) Does not affect existing traffic. (District II) - \$132,000.00
- e) Lateral 40 Main 24 War Industries Sewer to serve The Waterfront Addition - north of 13th Street North, east of Webb. (468-83553/743974/480622) Does not affect existing traffic. (District II) - \$221,000.00
- f) Lateral 1 Main 5 Northwest Interceptor Sewer to serve Liberty Park & Heritage Baptist Church - north and south of 13th Street North, east of 135th Street West. (468-83528/743969/480657) Does not affect existing traffic. (District V) - \$285,000.00
- g) (Amended) - cost of Lateral 329, Four Mile Creek Sewer to serve Samra Second Addition - north of Central, west of Greenwich, (District II) - \$87,000.00

RECOMMENDED ACTION: Approve and file.

16. Deeds and Easements:

- a) Utility Easement dated January 28, 2003 from Jay W. Russell for a tract of land located in the Northwest Quarter of Section 27, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Basin 4, OCA #624054). No cost to City.
- b) Utility Easement dated January 28, 2003 from RRGNL, L.L.C. for a tract of land located in Lot 1, Block A, Ridge Port Commercial Park, Wichita, Sedgwick County, Kansas (Basin 4, OCA #624054). No cost to City.
- c) Utility Easement dated January 28, 2003 from RRGNL, L.L.C. for a tract of land located in the Southwest Quarter of Section 34, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Basin 4, OCA #624054). No cost to City.
- d) Utility Easement dated January 28, 2003 from R & R Realty, L.L.C. for a tract of land located in the Northeast Quarter of Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Basin 4, OCA #624054). No cost to City.
- e) Utility Easement dated February 10, 2003 from Kick 'N' Development Corp. for a tract of land located in Lot 3, Hoskinson 2nd Addition, Wichita, Sedgwick County, Kansas (Basin 4, OCA #624054). No cost to City.
- f) Sanitary Sewer Easement dated February 7, 2003 from Kale and Thorene Roberts for a tract of land located in the Southwest Quarter of Section 21, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Socora Sewer, OCA #743945). No cost to City.

- g) Utility Easement dated February 8, 2003 from Earl J. Smith and Betty L. Smith for a tract of land located in the Northwest Quarter of Section 34, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Basin 4, OCA #624054). No cost to City.
- h) Sanitary Sewer Easement dated November 5, 2002 from Marian E. Teall for a tract of land located in the Southwest Quarter of Section 2, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (Project, OCA #). No cost to City.
- i) Easement dated January 24, 2003 from Ron Smith, of Smith and Company for a tract of land located in Lot 2, Smithmoor Commercial Addition, to Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- j) Public Street and Utility Easement dated January 14, 2003 from Unified School District 259 for a tract of land located in Matthewson Manor Second Addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- k) Utility Easement dated January 10, 2003 from Dewitt Land Company, Inc., a Kansas Corporation for a tract of land located in Lot 5, Block 3, Burnham Industrial Addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.

RECOMMENDED ACTION: Accept documents.

17. Minutes of Advisory Boards/Commissions:

Police & Fire Retirement System, November 20, 2002, and December 18, 2002
Board of Code Standards and Appeals, January 6, 2003
Board of Park Commissioners, January 13, 2003
Board of Electrical Appeals, January 14, 2003
Wichita Public Library, January 21, 2003
Wichita Airport Advisory Board, December 2, 2002
Wichita Employee's Retirement Board Police & Fire Retirement Board, January 2, 2003
Design Council, January 16, 2003
Housing Advisory board, January 21, 2003
Board of Park Commissioners, January 27, 2003

RECOMMENDED ACTION: Receive and file.

18. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

19. Quarterly Financial Report for the Period Ended December 31, 2003.

RECOMMENDED ACTION: Receive and file.

20. Weapons Destruction:

RECOMMENDED ACTION: Receive and file list of weapons.

21. Report on Claims Allowed – January - 2003:

<u>Name of Claimant</u>	<u>Amount</u>
Bliss, Ronald	\$722.31
Kansas Gas Svc.	\$375.08**
Kansas Gas Svc.	\$350.78**
Organ, Tracey Elliott	\$220.00
Pace Setter Excavating, LLC	\$239.17
Smith, Vaughn	\$240.00
Sutterfield, Larry	\$150.00
Vant Leven, Hubert	\$378.00

** Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

22. Agreements/Contracts:

- a) Construction engineering and staking for Remington Place Addition – east of Webb, south of 21st Street. (District II)
- b) Construction engineering and staking for Reed's Cove & Reeds's Commercial Additions – south of 21st Street, east of 127th Street East. (District II)
- c) Construction engineering services for Seneca from 31st Street South to McCormick. (District IV)
- d) Amendment - Improvements to Riverside Park. (District VI)
- e) Environmental Health air samples analysis.
- f) Amendment - Kansas Foodbank Warehouse, Inc.
- g) ERISS Web application renewal.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

23. Design Services Agreements:

- a) Balthrop Fourth Addition – north of Central, west of K-96. (District II)
- b) The Waterfront Addition – north of 13th Street, east of Webb. (District II)
- c) Streets north of Kellogg, west of 119th Street West. (District V)
- d) Southern Ridge Addition - south of Pawnee, west of Maize. (District IV)
- e) Tyler's Landing Addition - south of 37th Street North, east of Tyler. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

24. Selection of Vendors:

- a) East Bank Redevelopment Design Services.
- b) Aerial photography services.
- c) Purchase of paratransit vans.
- d) City web site content management.

RECOMMENDED ACTION: Approve selection and Agreements; authorize signatures.

25. Change Orders:

- a) Datastream Asset Management system.
- b) Cinema Old Town Plaza and parking garage.

RECOMMENDED ACTION: Approve the Change Orders; authorize signatures.

26. Electronic Farebox Revenue and Data Collection System.

RECOMMENDED ACTION: Approve purchase; authorize fund transfers and signatures.

27. Homeland Defense Readiness Center. (District I)

RECOMMENDED ACTION: Approve fund transfers; authorize public comment period initiation and submission of HUD One-Year Action Plan amendment.

28. 2003 Community Services Block Grant Application.

RECOMMENDED ACTION: Approve the Application; authorize signatures.

29. 2003 Traffic Signal Program. (Districts IV and V)

RECOMMENDED ACTION: Approve the project; place Ordinance on first reading..

30. 2003 Arterial Sidewalk and Wheelchair Ramp – Phase II. (Districts I, II, III, and V)

RECOMMENDED ACTION: Approve the project; adopt the Resolution.

31. Budget Adjustments:

- a) Public facilities – fire stations.

- b) Snow and ice removal.

RECOMMENDED ACTION: Approve the budget adjustment.

32. Water and Sewer Department Projects:

- a) Wastewater treatment plants siting study.
- b) Water distribution main replacement.
- c) 66-inch raw water line.

RECOMMENDED ACTION: Approve projects and expenditures;
adopt Resolutions.

33. Hydrobiological Monitoring Plan.

RECOMMENDED ACTION: Approve the project; authorize request
for proposals.

34. Property Acquisition:

- a) 1501 South McLean. (District IV)
- b) 1937 North Hillside. (District I)
- c) 1953 North Hillside. (District I)
- d) Waterline Easements on North Maize Road. (District V)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize signatures.

35. Acquisition by Eminent Domain:

- a) Tracts between 17th and 21st Streets North. (District I)
- b) Tract at 2930 South Hoover. (District IV)

RECOMMENDED ACTION: Adopt Resolutions; approve first reading
of Ordinances.

36. Dedication of Property Near 47th Street South and the Big Ditch/Cowskin Floodway for Park Purposes.
(District IV)

RECOMMENDED ACTION: Approve current and future donations; authorize
signatures.

37. Repair or Removal of Dangerous and Unsafe Structures.

	<u>Address</u>	<u>District</u>
a)	1946 South Everett	IV
b)	523 North Mathewson	I
c)	1340 North Washington	I
d)	326 West Morris	I
e)	3151 South Yale	III

RECOMMENDED ACTION: Adopt Resolutions setting the Public Hearing on April 15, 2003, at 9:30 a.m., or soon thereafter.

38. Resolutions:

- a) Railroad corridor improvements. (Districts I, III, and VI)
- b) 2001-2002 park projects. (Districts I, II, and IV)

RECOMMENDED ACTION: Adopt Resolutions.

39. First Reading Ordinances:

- a) Amendment for Kansas Sports Hall of Fame. (District V)
- b) Amendment of Schedule II to Ordinance authorizing and providing for the Issuance of General Obligation Renewal and Improvement Temporary Notes.

RECOMMENDED ACTION: Approve first reading of the Ordinances.

40. Second Reading Ordinances: (First read February 11, 2003)

- a) Home Occupation License Fee.

An Ordinance amending Section 3.96.010 and repealing the originals of said amended Section, all in the Code of the City of Wichita, Kansas, and pertaining to home occupation licenses in the City of Wichita, Kansas.

- b) ZON 2002-00059 - southwest corner of MacArthur and Hoover Road. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-Case 2002-59.

- c) A03-01 – south of K-96, north of 37th Street North, East of North Tyler Road. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-01

(Item 40 continued)

- d) A03-02 – south of 37th Street North, east of North Tyler Road. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-02

- e) A03-04 – west of South Maize Road, north of State Highway K-42. (District IV)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-04

- f) A03-05 – Kansas Aviation Museum Site at 3350 George Washington Boulevard. (District III)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A03-05

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

- *41. SUB2001-58 – Plat of Central Maize Schools Addition – Southwest Corner of 37th Street North and Tyler Road. (District V)

RECOMMENDED ACTION: Approve documents and Plat; adopt Resolutions; authorize signatures.

- *42. ZON2002-00064/CUP2002-00053 – Zone Change from Multi-Family Residential to General Office, and Amendment to DP 95 Parcel C Fantasea Commercial CUP to Allow General Office Uses – North of 32nd Street North, West of Rushwood. (District I)

RECOMMENDED ACTION: Approve the zone change and CUP amendment, subject to recommended conditions, and first reading of the Ordinance.

- *43. ZON2002-00071 – Zone Change from Limited Commercial to Single-Family Residential – South of Pawnee, West of Maize Road. (District IV)

RECOMMENDED ACTION: Approve the zone change and first reading of the Ordinance.

- *44. A02-23 – Annex Land South of Kellogg, West of 143rd Street East. (District II)

RECOMMENDED ACTION: Approve the annexation and first reading of the Ordinance.

- *45. A03-06 – Annex Land at 1700 South 151st Street West, South of Highway 54 and East of 151st Street West.
(District V)

RECOMMENDED ACTION: Approve the annexation and first reading
of the Ordinance.

- *46. A03-07 – Annex Land at 4433 North Oliver, ¼ Mile South of 45th Street North, West of North Oliver.
(District I)

RECOMMENDED ACTION: Approve the annexation and first reading
of the Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

47. Contracts/Agreements:

- a) Supplemental – skycap services.
- b) Trans States Airlines.
- c) Shuttle service.

RECOMMENDED ACTION: Approve the Contracts/Agreements;
authorize signatures.

48. Grounds Maintenance Services.

RECOMMENDED ACTION: Authorize request for proposals; approve
fund increase.

49. Electronic Signs and Guard Buildings Purchase.

RECOMMENDED ACTION: Approve emergency purchase.

Adjournment